IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRL.MISC.NO.30801-M OF 2006

DATE OF DECISION: SEPTEMBER 15, 2006

Ramesh Kaur

....PETITITIONER

VERSUS

State of Punjab and others ....RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.V.Ramswaroop, Advocate,
for Mr.Baljinder Singh, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.
Mr.B.S.Guliani, Advocate,
for respondent No.2.

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Petitioner Ramesh Kaur has filed this petition under Section 482 Cr.P.C. for quashing FIR No.113 dated 8.8.2005 registered under Sections 406/498-A IPC at Police Station, Habowal, Ludhiana against respondents No.2 to 5.

2. In this case, the petitioner is seeking quashing of the aforesaid FIR on the basis of the compromise arrived at between the parties. Earlier, on the basis of the complaint made by the petitioner, the aforesaid FIR was registered against respondents No.2 to 5. As per the compromise, copy of which has been annexed as Annexure P-2, respondent No.2 has agreed to pay a sum of Rs.2,75,000/- on account of permanent alimony and maintenance to the petitioner.

3. Vide order dated 21.7.2006,this Court had directed the petitioner to place on record the copy of the judgment and decree whereby the marriage between the parties has been dissolved by mutual consent. In pursuance thereof, respondent No.2 has placed on record the copy of the award

passed by the Lok Adalat dissolving the marriage between the parties with effect from 20.5.2006. Counsel for the petitioner states that since the dispute between the parties has been amicably settled with the intervention of the respectables, therefore, the petitioner does not want to pursue the aforesaid FIR, which was got registered by her, and the same may be quashed.

4. After hearing the counsel for the parties and in view of the law laid down by the Hon'ble Apex Court in B.S.Joshi and Ors. v. State of Haryana and Anr., JT 2003(3) SC 277, FIR No.113 dated 8.8.2005 registered under Sections 406/498-A IPC at Police Station, Habowal, Ludhiana against respondents No.2 to 5 and all the consequential proceedings arising therefrom are hereby quashed.

September 15, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE